



1761
#9/DF
4/23/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: OWADES
Serial No.: 09/833,924
Filed: April 12, 2001
For: PROCESS FOR PRODUCING A MALT BEVERAGE ...
Group: 1761
Examiner: CURTIS EDWARD SHERRER DOCKET: OW-20

RECEIVED
APR 09 2003
GROUP 1700

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL AMENDMENT B

Dear Sir:

This Amendment is in response to the Patent and Trademark Office Notice of Communication mailed March 17, 2003.

In the Communication, the Examiner deems the Amendment not "fully responsive" for allegedly failing to address the term "agin" (sic). The term "aging" is a term of art well known to those in the beer industry. Moreover, the "age" appears in the claims of many U.S. Patents directed to production of beer or other malt beverages. See, for example, U.S. Patent Nos. 5,304,384, 5,346,706, 5,536,512 and 5,718,161, copies of which are enclosed for the convenience of the Examiner. It is assumed Examiner Sherrer listed as the Examiner on the '384 and '512 Patents is the same Examiner Sherrer who passed the earlier Patents to issue. Assuming that to be the case, Applicant is confused as to why the term "aging" now is considered to be indefinite.

Reconsideration of the 112 rejection to the term "aging" is respectfully requested.

HAYES SOLOWAY P.C.
130 W. CUSHING ST.
TUCSON, AZ 85701
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567



Serial No. 09/833,924
Docket No. OW-20
Supplemental Amendment B

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our deposit account number 08-1391.

Respectfully submitted,

Norman P. Soloway
Attorney for Applicant
Reg. No. 24,315

RECEIVED
APR 09 2003
GROUP 1700

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on March 31, 2003, at Tucson, Arizona.

By

NPS:nm

HAYES SOLOWAY P.C.

130 W. CUSHING ST.
TUCSON, AZ 85701
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567